OFFIDER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE SW/Corner Rockwell Avenue and Tall

Pines Court

(2410 Rockwell Avenue)

1st Election District

1<sup>st</sup> Councilmanic District

Jerome Sadler, et ux Petitioners

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 99-402-A

\*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Jerome and Kathleen Sadler. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (24' x 18' shed) to be located in an area of the rear yard not in the one-third farthest removed from any street. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance

with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the

Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County

Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested

should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore

County this \_// day of May, 1999 that the Petition for Administrative Variance seeking relief

from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an

accessory structure (24' x 18' shed) to be located in an area of the rear yard not in the one-third

farthest removed from any street, in accordance with Petitioner's Exhibit 1, be and is hereby

GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed,

the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

**Deputy Zoning Commissioner** 

for Baltimore County

TMK:bjs

A STATE OF THE STA

2



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

May 11, 1999

Mr. & Mrs. Jerome Sadler 2410 Rockwell Avenue Catonsville, Md. 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE SW/Corner Rockwell Avenue and Tall Pines Court) (2410 Rockwell Avenue) 1st Election District – 1st Councilmanic District Jerome Sadler, et ux – Petitioners Case No. 99-402-A

Dear Mr. & Mrs. Sadler:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. ROTROCO Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel; Case File



ASE NO.

## Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2410 Rockwell Hve

which is presently zoned Vest This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) Section 400. accessing Building in Residence Genes
400.1; BCZR to permit a shed to be located in
an area of the rear yard not in the one-third furthest
removed from any street of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form. Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Address Telephone No. City State Zip Code **Attorney For Petitioner:** Name - Type or Print Representative to be Contacted: Signature Company Name Address Telephone No. Telephone No. State Zip Code City Zip Code State that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning. s of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County -402A

Estimated Posting Date

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	2410 Rochwell ave
	Catomyrio MD 21228
	City State Zip Code
	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
We wish to reconstruct	t a detacked barn to replace a
arian areas attract	the three with the second of the
an administratuel	avance is requested due shall
legulations that state or	avance is requested due to teners a corner lots accessory bulding shall for of landfarthese someoned from the
Street: Personal la	robship and practical deputy land and existing trees, the
is the topography of the	land and lyesting tress, the
belin will be used for you	a squipment * ext
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and idditional information.
Sume Caralla	Katalen M Ledlu Signature 1 Cathleen M Sadler Name - Type or Print
Signature Co. 1 To	Signature
Name - Type or Print	Name - Type or Print
CTATE OF MARY! AND COUNTY OF DAI TIM	IODE to with
I HEREBY CERTIFY, this June day of Maryland, in and for the County aforesaid, per	
of Maryland, in and for the County aforesaid, per	sonally appeared
Jerome E Sadler Kath	Jeen M. Sadler
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	actorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	4
3-24-99	Den Cay
Date	Notary Public  My Commission Expires Nov. 20th 2001
	My Commission Expires / VOV 20 007

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

competent to testify thereto in the event that a p	ublic hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	240 Racherel Ove Address City State Zip Code
	City State Zip Code
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a pur exesting st.	ructure that was destroyed by
a feie. Un gamenist	rative benance B regulated and
to young regulation	s that an Hylsteng building be the street. Personal hardship
located burthest from	the stielt. Personal Rolland
Mishing trees, the bar	is the topography of the land and is for storage of youl equipment
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and additional information.
Signature Halle	Kathlee U Jaden Signature
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTING  I HEREBY CERTIFY, this 24 day of May of Maryland, in and for the County aforesaid, per Scaller Kathle	rsonally appeared  Ph. M. Sad Pr.
the Affiant(s) herein; personally known or satisfiaw that the matters and facts hereinabove set for	factorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal  3-24-99	Doine Cravi
Date	My Commission Expires Nov. 20 th 2001

REU 09/15/98



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2410 Rockwell Ave

which is presently zoned This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) Section 4ch accessory Buildings in Residence Tones.
400.1; BOZR, to permit a shed to be located in an area of the real yard not in the one third faithest semered from any street. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form. Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. iWe do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Signature Address Telephone No. State Zip Code Attorney For Petitioner: Name - Type or Print Zip Code Representative to be Contacted: Signature Company Name Address Telephone No. Address Telephone No. City State Zip Code City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

		Zoning Comm	nissioner of Baltin	nore County
CASE NO.	99-402A	Reviewed By JLW	<u>^</u> Date	49.99
REU 9 15 98		Estimated Posting Date	4	18.99

Loning Description for 2410 Rockwell Ave

Beginning at a point on the northside of Rackwell Ave which is 60 feet wide at the northeast corner of the nearest intersecting improved street of tall Pines C+ which is 50 feet wide Being lot #2 which is 33254,55 square feet (approx. 83 acres) as recorded in Baltimore County Plat Book #58, folio # 17.

Also known as 2410 Rockwell Are and located in the OI Election district and OI council matic district

402

Y Y	709/1999 4/09/1999 14:29:41 13:6 5:02 (44)HER LSMI LXS DESMEP	OK 10, 066457 Gent Int File on	Harlan.	9-402-A	CASHIER'S VALIDATION
ARYI 'D 4 C 2 No. 066457	ACCOUNT FOLL ! 150	AMOUNT \$ 5 C. (CC	. UV		YELLOW - CUSTOMER
BALTIMORE COUNTY, MARY! OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 4 4 9 99	م س	FROM: (c.v)	FOR:	<u>DISTRIBUTION</u> WHITE - CASHIER PINK - AGENCY



#### **CERTIFICATE OF POSTING**

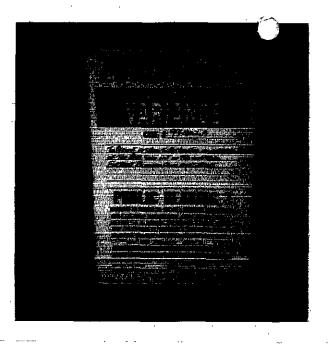
RE: CASE # 99-402-A
PETITIONER/DEVELOPER:
(Kathy Sadler)
DATE OF Closing
(May 3, 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2410 Rockwell Ave. Baltimore, Maryland 21228\_\_\_\_\_



Sincerely,  (Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

## BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

				-			
Case	Number 99-	402 -	, A	Address _	2410	Pockwell	he.
Conta	ct Person: _		Mene pase Print Your Name	 1e		Phone Number	r: 410-887-3391
Filing	Date:	- 9 - 9 9	Posting	g Date: _	4-18-99	Closing D	ate: <u>5-3-99</u>
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2.	a formal red		lic hearing.	Please u	nderstand t	hat even if the	1,000 feet to file ere is no formal
3.	commission order that t (typically wit	er. He may: (a he matter be se	<ul><li>i) grant the retail in for a p</li><li>of the closin</li></ul>	equested ublic hea g date) as	relief; (b) d ring. You s to whether	eny the reques will receive wr r the petition ha	r deputy zoning sted relief; or (c) itten notification as been granted, ass mail.
4.	(whether du commissione changed giv	e to a neighbo er), notification ing notice of the	r's formal re will be forwa hearing date	quest or arded to y e, time and	by order of you. The s d location. /	f the zoning or sign on the pr As when the sig	a public hearing redeputy zoning roperty must be gn was originally be forwarded to
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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

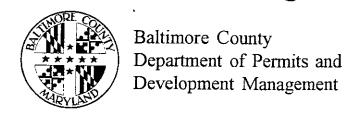
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

#### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number:
Petitioner:JEROME SANLER
Address or Location: 2410 Rockwell Ave. Borbo. Mg. 21228
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address:
Telephone Number: (40) 119-0149

Revised 2/20/98 - SCJ

99.402-A



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

May 4, 1999

Mr. & Mrs. Jerome Sadler 2410 Rockwell Avenue Catonsville, MD 21228

RE: Case No.: 99-402-A

Petitioner: Sadle

Location: 2410 Rockwell Avenue

Dear Mr. & Mrs. Sadler:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 9, 1999.

Zoning Advisory The Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: 4/2499

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager And

**Development Coordination** 

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: April 20, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s): Item No (s): 383, 386, 391, 395, 397, 400, 401 and 402

My W-Zz

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: (

AFK/JL

BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 26, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for April 26, 1999

Item Nos. 394, 395, 396, 397, 398,

400, and (402)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

May 13, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Thoson, MD 20204
MAIL STOD-1005

PF: Protecto Where SEE ERVEN

Choration: DISTRIBUTION MEETING OF April 19, 1999

Them No.: See Below . Coming Agenda:

Cont amon.

Porchart to very request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be porrected or incorporated into the file older for the property.

The Fire Michalia Office has no demants at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

394, 395, 393, 397, 398, 433, 401 and 492

PEVIEWED: IT, ROBERT P, SAUERWALD

Fire Market Office Drave 827-4981, Mg-11019

co: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 4.20.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 402

JCM

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

11

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

### **Petition for Barn Reconstruction**

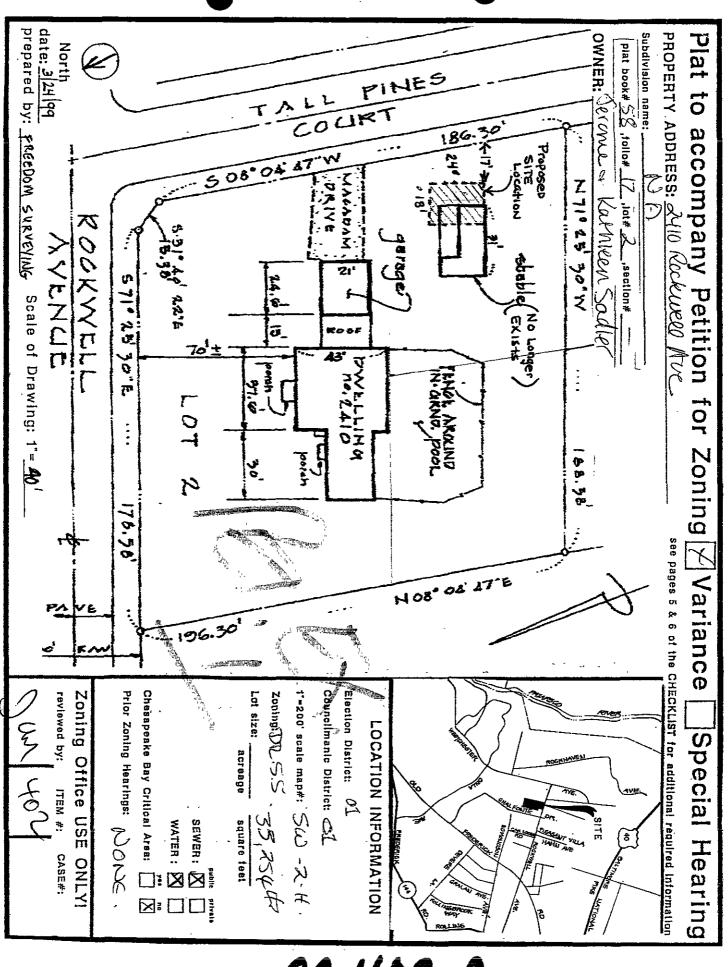
March 22, 1999

Dear Neighbor:

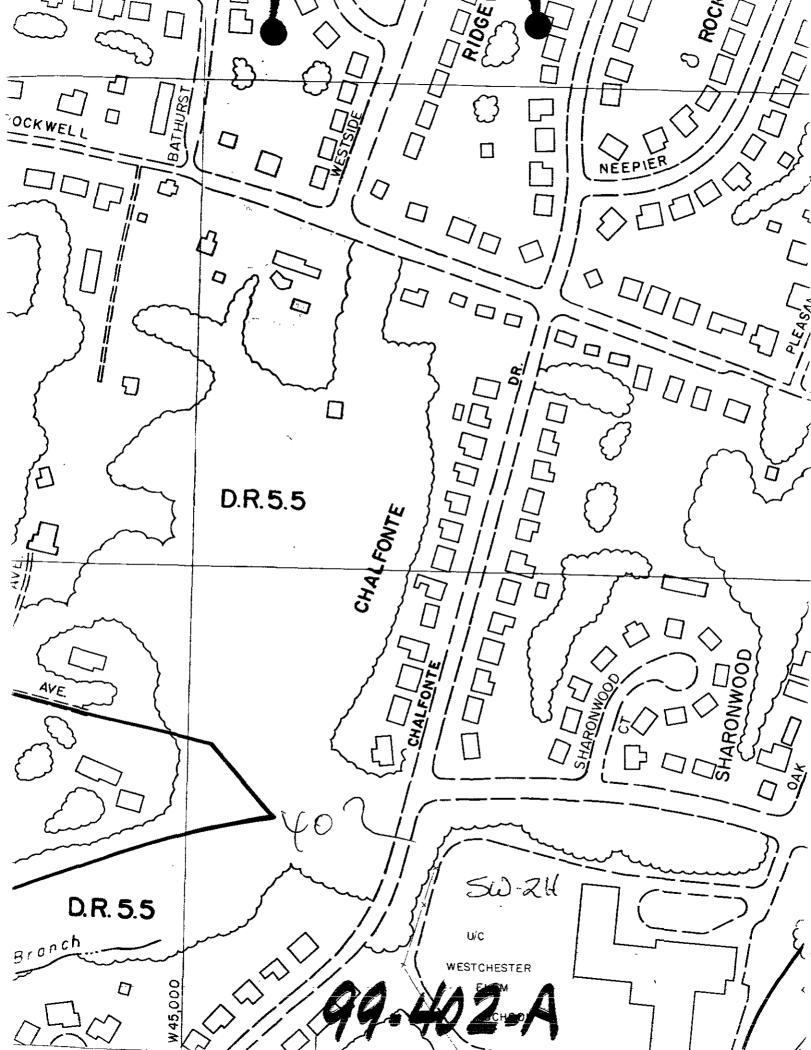
We, Kathy and Jerry Sadler, are seeking a zoning variance to reconstruct our barn 17 feet from the sidewalk which will be 18 feet wide and 24 feet deep. If you do not have any objections, we ask that you sign this petition in support of our effort.

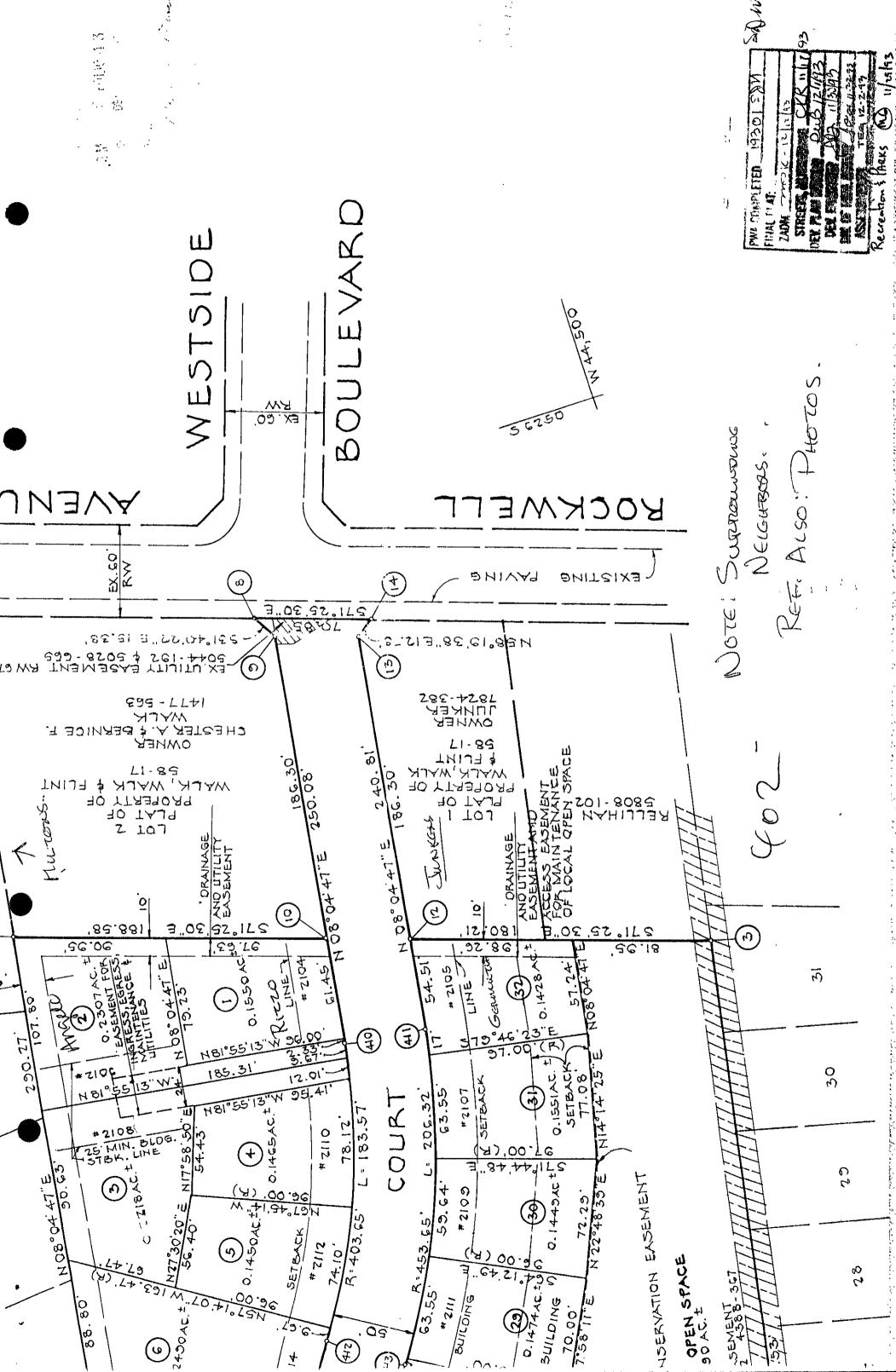
Thank you,

Name	Address	Telephone	Signature
Chris and Paul Mitton	2412 Rockwell Avenue	410.788.0057	Clastilla
100000 1111011	Avenue	( =	25
KATHY &	2402		Source le bo
GREG JUNKER	ROCKWELL AVE.	410-744-0335	and the second
JOHD & MARYLU	2104 TALL PINES	(410)788-8388	John O. Kyro
RIZZO	CT.	1410/180-0000	Jeraic ye
J-Jmtlind9	2105 TUP Pm	410-747-3392	May 1
Germall	ok.		CHYKIMI)
Bob + Catherini	2106 Tall	410-788-	Potherine
Angelo	Pines Ct	9191	Augl.



99-402-A







VIEW From our perspective. & Ruge & Angelo 402

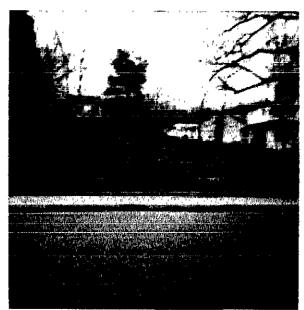




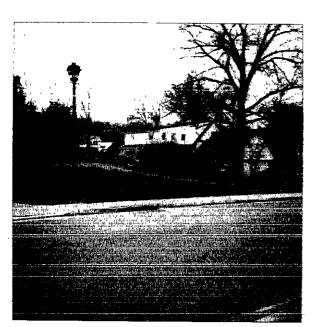
proposed Site For new Barn you



Prior existing existing structure



heighbors perspective 240 Rockwell-Junker



- VIEW four 2105 Tall Polas Demuth 402



402

